IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE THIRD DAY OF NOVEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE BILAL NAZKI

And
THE HON'BLE MR JUSTICE S.ANANDA REDDY

WRIT PETITION NO : 20142 of 2004

Between:

D. Satyanarayana S/o Sambasiva Rao
r/o Kesineni Tours & Travells, Raju Road, Kamala Nagar, Ananthapur

..... PETITIONER

AND

1 The Secretary, Regional Transport, Authority, Ananthapur, Ananthapur district
2 The Motor Vehicle Inspector, Thirupathi, Chittoor District

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a Writ or order direction more particularly one in the nature of writ of Mandamus, declaring the action of the 2nd respondent in seizing and detaining the petitioner's vehicle bearing Registration No. AP 02U13 Vide Vehicle Check Report No . 331727, dt 15-10-2004 under Section 8 of APMV Taxation Act and Sec. 207 of the MV. Act as illegal arbitrary and unconstitutional and consequently direct the respondents to release the vehicle baring Registration No. AP 02U 13 to the petitioner herein

Counsel for the Petitioner: MR.J.U.M.V.PRASAD

Counsel for the Respondent Nos.1 & 2: GP FOR TRANSPORT

The Court, at the stage of admission, made the following:

Oral Order: (Per: The Hon'ble Mr. Justice Bilal Nazki)

Heard learned Counsel for the parties. With their consent, the Writ Petition is disposed of at this stage.

It appears that the petitioner's vehicle has been seized for violating the conditions of permit and for some other alleged offences. In the interest of justice, we dispose of this Writ Petition at this stage, directing release of vehicle bearing No. AP 02 U 13 in favour of the petitioner on payment of tax due, without prejudice to his rights in the enquiry and further subject to filing an undertaking to the effect that he shall not alienate or in any way encumber the vehicle.

Writ Petition is accordingly disposed of. No costs.

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BILAL NAZKI, J

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S. ANANDA REDDY, J

Dt. 03-11-2004

Pvks/*

Nb: Furnish c.c. tomorrow.

B/o pvks

To

1 The Secretary, Regional Transport, Authority, Ananthapur, Ananthapur district
2 The Motor Vehicle Inspector, Thirupathi, Chittoor District

3.2CCs to to the Government Pleader for Transport, A.P. High Court buildings, Hyderabad (OUT).

4.2CD copies

*Form-NIC-OGS/WP{**TRT**}*